IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**CWP No.4350 of 2007**
**Date of Decision: 15.5.2007**

**Haryana Urban Development Authority**

Petitioner

versus

**Presiding Officer and another**

Respondents

CORAM:- **HON'BLE MR. JUSTICE JASBIR SINGH**

**HON'BLE MRS. JUSTICE NIRMAL YADAV**

Present: Shri J.S.Hooda, Advocate for the petitioner

**Jasbir Singh, J. (Oral)**

This writ petition has been filed with a prayer to issue a writ of certiorari to quash award dated 19.4.2006 (Annexure P/1), passed by the Industrial Tribunal-cum-Labour Court, Hisar, ordering reinstatement of respondent No.2, alongwith payment of 50% back wages.

It is apparent from the records and not disputed before us that respondent No.2 was taken in service on 1.2.1992. She continued to work as a Sweeper till February, 1997 when her service was terminated. She raised a dispute. When conciliation proceedings failed, matter was referred to the Tribunal, for adjudication. Both the parties were granted ample opportunities to lead evidence, despite that and also on directions issued, when the management failed to produce the necessary record, adverse inference was rightly drawn against it. It is proved on record that respondent No.2 had completed 240 days of service in 12 months preceding the date of her termination. Admittedly, there is non-compliance with the provisions of Section 25-F of the Industrial Disputes Act, 1947.

So far as raising demand after about a period of six years is concerned, this issue was not pressed before the Tribunal by the petitioner. In view of findings given by the Tribunal in paragraphs No.9 to 11, which we feel, are justified, no case is made out for interference.

Dismissed.

**(Jasbir Singh)**
**Judge**

**May 15, 2007** **(Nirmal Yadav)**
*gk* **Judge**